



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/465,028	12/16/1999	RAHUL BHIDE	NEPTUNET-2	8380

28581 7590 09/25/2003

DUANE MORRIS LLP
100 COLLEGE ROAD WEST, SUITE 100
PRINCETON, NJ 08540-6604

EXAMINER

HUYNH, CONG LAC T

ART UNIT	PAPER NUMBER
----------	--------------

2178

DATE MAILED: 09/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/465,028

Applicant(s)

BHIDE ET AL.

Examiner

Cong-Lac Huynh

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 December 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 16-18 is/are rejected.
- 7) ☒ Claim(s) 12-15, 19 and 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communications: the application filed on 12/16/99.
2. Claims 1-20 are pending in the case. Claims 1, 11, 16 are independent claims.

Claim Objections

3. Claims 5 and 6 are objected to since the two claims are almost identical except the phrase "accessing an altered target page" in claim 5 (lines 3-4) is replaced by "accessing a second target page" in claim 6. Since the "altered target page" or the "second target page" is the page to be accessed when executing the second sequence, the "second target page" means the "altered target page." Therefore, it is suggested that one of these claims be canceled.
4. Claim 12 is objected to since the word "for" is extra in the phrase "in the third mode, said target pattern is dependent upon said structural definitions for and content of said selected subset" (line 6).
5. Claim 19 is objected to under the same issue as in claim 12.
6. Dependent claim 20 is also objected to for fully incorporating the deficiencies of its base claim 19.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

9. Claims 1-11, 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fields et al. (6,605,120 B1, 8/12/03, filed 12/10/98).

Regarding independent claim 1, Fields discloses:

- recording a sequence of actions operable to navigate to said target page of said electronic document (figure 5A, #401- #415 and col 2, lines 43-46: a sequence of actions for creating new filter is recorded for extracting data from an electronic document where extracting data includes the process of navigating the target page to look for data to be extracted and where said document is considered as a target page including target data for extracting; figure 5B, #456: the step

retrieving filter definition inherently shows that the sequence of actions for creating filter definitions is recorded for retrieving)

- automatically mapping said target page by identifying said structural definition of said plurality of elements (figure 5B, #456: parsing page according to filter definitions shows that the structure of a page implemented in the element tags is *identified during parsing*)
- automatically accessing said target page according to said recorded sequence and remapping said target page by reidentifying said structural definitions of said plurality of elements (figure 5B, #451 and #459: automatically accessing a page; *parsing* page according to embedded tags where parsing process through the embedded tags is *for identifying* the structure definitions of the page elements implemented in the tags – every time the system parses the page, the identifying process occurs again which is considered as reidentifying the page elements)
- automatically identifying and copying select ones of said plurality of elements dependent upon said target pattern and said reidentified structural definitions (figure 5B, #463, #465: reformat data inherently shows that the data *is identified for reformatting*, and *caching* the desired data shows that said data *is copied* to a memory)

Fields does not explicitly disclose:

- automatically identifying a target pattern for a selected subset of said plurality of elements based upon said structural definitions of said selected elements

Instead, Fields discloses:

- multiple versions of the web page are compared *to identify static and dynamic content elements and marked as static or dynamic via a set of varied headers* (abstract; col 3, lines 9-21).

It would have been obvious to an ordinary skill in the art at the time of the invention was made to have modified Fields to include “automatically identifying a target pattern for a selected subset of said plurality of elements based upon said structural definitions of said selected elements” since the set of varied headers used to identify static and dynamic elements is considered as target pattern for recognizing the subset of a plurality of elements based on the tags of the selected elements in the document.

Regarding claim 2, which is dependent on claim 1, Fields discloses that said electronic document is a website and said target page is a web page (col 2, line 40 to col 3, line 38).

Regarding claim 3, which is dependent on claim 2, Fields discloses that said actions include user interactions with said web site (figures 3A-4B: the website has buttons for user interactions).

Regarding claim 4, which is dependent on claim 2, Fields discloses that said actions include filling forms (figure 6A).

Fields does not explicitly disclose that the user interactions include activating HTML links. However, it would have been obvious to an ordinary skill in the art at the time of

Art Unit: 2178

the invention was made to have modified Fields to include activating HTML links since activating HTML links in a web document was a well known user interaction in a web environment.

Regarding claim 5, which is dependent on claim 1, Fields discloses:

- altering said sequence of actions, thereby generating a second sequence of actions
- automatically executing said second sequence of actions thereby accessing an altered target page
- automatically identifying and copying select ones of said plurality of elements from altered target page dependent upon said target pattern

However, it would have been obvious to an ordinary skill in the art at the time of the invention was made to have modified Fields to include “altering said sequence of actions, thereby generating a second sequence of actions” since it was obvious that once the sequence of actions is modified, the modified sequence of actions is generated as a second sequence of actions compared with the original one. Also, since the original sequence of actions include the steps of automatically executing said second sequence of actions thereby accessing an altered target page and automatically identifying and copying select ones of said plurality of elements from altered target page dependent upon said target pattern, the modified sequence of actions or the second sequence of actions can include some of the same steps of the original one.

Claim 6, which is dependent on claim 1, includes the same limitations as in claim 5, except the phrase “accessing an altered target page” in claim 5 is replaced by “accessing a second target page.” Since both “accessing an altered target page” and “accessing a second target page” are due to executing the second sequence of actions, the second target page means the altered target page. Claim 6, therefore, is rejected under the same rationale as in claim 5.

Regarding claim 7, which is dependent on claim 1, Fields discloses:

- automatically accessing said target page according to said recorded sequence and remapping said target page by reidentifying said structural definitions of said plurality of elements (figure 5B, #451 and #459: automatically accessing a page; parse page according to embedded tags)
- automatically identifying and copying select ones of said plurality of elements dependent upon said target pattern and said reidentified structural definitions (figure 5B, #463, #465: reformat data inherently shows that the data is identified for reformatting, and caching the desired data shows that said data is copied to a memory)

Fields does not explicitly disclose comparing said select ones of said plurality of elements to predicted results to determine whether said method is functioning properly. Instead, Fields discloses comparing multiple versions for identifying static and dynamic content elements (col 3, lines 16-21).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Fields to include comparing said select ones of said plurality of elements to predicted results to determine whether said method is functioning properly since comparing multiple versions of a web page for identifying static and dynamic content elements includes *selecting particular features* of a web page such as *static or dynamic to be compared, and thus showing the method is functioning properly*.

Regarding claim 8, which is dependent on claim 1, Fields discloses:

- generating at least one file including data being indicative of said actions and said target pattern
- storing said at least one file so as to be accessible over said computer network

However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Fields to include such a file since it was well known to have a metadata file in the system for describing other data or including data indicative of said actions and target pattern and storing such a file to be accessible over said computer network for later user.

Regarding claim 9, which is dependent on claim 8, Fields discloses that said computer network includes a global interconnection of computer network (figure 1; col 4, lines 18-36).

Art Unit: 2178

Regarding claim 10, which is dependent on claim 8, Fields discloses that identifying said target pattern comprises ignoring some of said structural definitions (col 3, lines 12-21: since only the selectable content elements, which are target pattern, are identified, some of the tags which do *not include* selectable content elements are skipped or ignored).

Independent claim 11 includes the same limitations as in claim 1, and is rejected under the same rationale.

Claims 16-18 are for a computerized system of method claims 1-3, 11, and are rejected under the same rationale.

Allowable Subject Matter

10. Claims 12-15, 19-20 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Mathieu et al. (US Pat No. 6,009,441, 12/28/99, filed 9/3/96).

Belfiore et al. (US Pat No. 6,038,610, 3/14/00, filed 7/17/96).

Art Unit: 2178

Belfiore et al. (US Pat No. 6,525,748, 2/25/03, filed 3/1/00, priority 7/17/96).

Madnick et al. (US Pat No. 5,913,214, 6/15/99, filed 8/8/96).

Kriegsman (US Pat No. 6,370,580 B2, 4/9/02, filed 9/15/99, priority 7/25/97).

Kirsch et al. (US Pat No. 6,466,966, 10/15/02, filed 6/6/00, priority 5/1/98).

Nusbickel (US Pat No. 6,205,440, 3/20/01, filed 11/6/98).


Chen, Structuring and Visualising the WWW by Generalised Similarity Analysis, ACM 1997, pages 1-10.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cong-Lac Huynh whose telephone number is 703-305-0432. The examiner can normally be reached on Mon-Fri (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 703-308-5186. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-9000.

clh
9/15/03



SANJIV SHAH
PRIMARY EXAMINER